

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

10
11 MARK ROBERT QUIROZ,) No. C 11-0016 LHK (PR)
12 Plaintiff,)
13 v.) ORDER ADDRESSING PENDING
14) MOTIONS
15 ROBERT A. HOREL, et al.,)
16 Defendants.)
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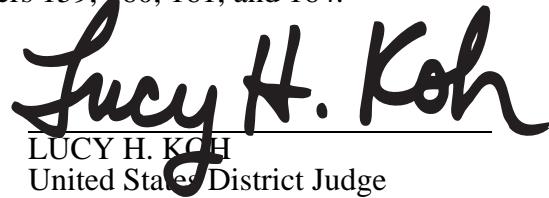
On January 4, 2011, Plaintiff, a state prisoner proceeding *pro se*, filed a civil rights complaint pursuant to 42 U.S.C. § 1983. Upon initial screening, the Court partially dismissed Plaintiff's complaint, and ordered it served upon named Defendants. Over one year later, on March 8, 2012, Plaintiff filed a motion for leave to file an amended complaint. The Court granted Plaintiff's motion. Thereafter, Defendant Short filed a motion to dismiss. On August 6, 2012, the Court granted in part and denied in part Defendant Short's motion to dismiss, and ordered further briefing. Plaintiff has filed, *inter alia*, another motion for leave to amend, as well as a proposed second amended complaint. All Defendants have filed a notice of non-opposition to Plaintiff's request to file a second amended complaint. Under Federal Rule of Civil Procedure 15(a)(2), the Court GRANTS Plaintiff's motion for leave to file a second amended complaint. (Docket No. 161.) The Clerk shall file Plaintiff's proposed second amended complaint. (Docket No. 162.) So filed, the second amended complaint is now the operative complaint.

1 As such, the Court VACATES Defendants' deadlines for filing a dispositive motion. The
2 Court DENIES Plaintiff's motion for a Court order compelling prison officials to obtain
3 declarations as moot. (Docket No. 159.) Defendant Short's motion for an extension of time to
4 file a motion for summary judgment is DENIED as moot. (Docket No. 160.) Defendant Short's
5 motion to vacate the dispositive motion deadline is GRANTED. (Docket No. 164.)

6 The Court will screen Plaintiff's second amended complaint in a separate order. The
7 parties are advised that, due to the age of this case, the Court will only consider requests for an
8 extension of time which are supported by a showing of good cause.

9 This order terminates docket numbers 159, 160, 161, and 164.

10 IT IS SO ORDERED.
11 DATED: 11/6/12


LUCY H. KOH
United States District Judge